The City of Liberty
City Council
Regular Meeting
~ Agenda ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, September 14, 2010 | **6:00 PM** | **City Council Chambers**

THE City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrival
Mayor Carl Pickett	¨	¨	¨	
Councilperson Dennis Beasley	¨	¨	¨	
Councilperson Diane Huddleston	¨	¨	¨	
Mayor Pro-Tem Mike McCarty	¨	¨	¨	
Councilperson Al Simonson	¨	¨	¨	
Councilperson Louie Potetz	¨	¨	¨	
Councilperson Frank Jordan	¨	¨	¨	

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

V. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

A. Minutes Approval

1. Thursday, August 05, 2010

2. Thursday, August 05, 2010

3. Tuesday, August 10, 2010

4. Tuesday, August 24, 2010

5. Tuesday, August 31, 2010

B. Council Action (ID # 1808)

Consider Authorizing the City Manager to Execute an Agreement with the Combs Consulting Group for an IT Infrastructure Evaluation and IT Strategic Plan.

- Proposal Combs Consulting Group (PDF)

C. Resolution (ID # 1820)

Consider a Resolution Authorizing the City Manager to Enter into Agreements with the Texas Department of Transportation for the Temporary Closure of Main Street During Trinity Valley Fair & Exposition Parades.

- TVE Rd Closure Agreement Baby Parade 2010 (DOC)
- TVE Rd Closure Agreement Opening Day Parade 2010 (DOC)

VI. REGULAR AGENDA

A. Regular Session

1. Council Action (ID # 1805)

Consider Appointments to the Liberty Municipal Library Board.

2. Resolution (ID # 1809)

Consider a Resolution Appointing a Representative to the Sam Houston Municipal Power Agency Board of Directors.

3. Council Action (ID # 1810)

Consider an Appointment to the Liberty Community Development Corporation Board of Directors.

4. Council Action (ID # 1811)

Consider Appointments to the 2011 Houston-Galveston Area Council General Assembly.

- 2011 HGAC General Assembly (PDF)

5. Council Action (ID # 1813)

Consider Award of Bid for Washington Street Lift Station Force Main.

- Bid Tab-Washington St LS Force Main (PDF)

6. Council Action (ID # 1812)

Consider Award of Bids for Various City Vehicles.

- Bid No 10-010 Vehicles Tab Sheet (XLS)

7. Resolution (ID # 1822)

Consider a Resolution Adopting an Annexation Plan for the City of Liberty.

8. Ordinance (ID # 1814)

Consider Adoption of an Ordinance Establishing Fees Charged by the City of Liberty for the Collection and Disposal of Garbage and Rubbish.

9. Ordinance (ID # 1815)

Consider an Ordinance Adopting the Budget for Fiscal Year 2010-2011.

10. Council Action (ID # 1816)

Consider Ratification of the Property Tax Revenue Increase Reflected in the FY 2010-2011 Budget.

11. Ordinance (ID # 1817)

Consider an Ordinance Adopting the Tax Rate for Fiscal Year 2010-2011.

12. Ordinance (ID # 1818)

Consider an Ordinance Regarding Tax Roll Approval and the Tax Levy.

13. Council Action (ID # 1821)

Consider Alcohol Sales "By the Drink" Within the City of Liberty and Process to Adopt and Implement Change.

VII. COUNCIL MEAL

VIII. ADJOURNMENT

A. Motion To: Adjourn

CERTIFICATION

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 10^{th} day of September, 2010 at 12:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

____
Dianne Tidwell, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the ________ day of ____________________, 2010.

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

The City of Liberty
City Council
Special Called Meeting
~ Minutes ~

Thursday, August 5, 2010 **6:00 PM** **City Council Chambers**

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

The Meeting was called to order on August 5, 2010 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:05 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Al Simonson	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Frank Jordan	Councilperson	Absent	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments.

City Manager Gary Broz remarked to Council that Library Director Dana Abshier was present and willing to give the Council a tour of the newly renovated and expanded Municipal Library.

III. REGULAR AGENDA

A. Regular Session

1. Council Action 2010-77

Consider Setting the Date, Time and Location for a Public Hearing on the Proposed Budget for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

Motion was made to set the date of Tuesday, August 24th, 6:00 p.m. to conduct a public hearing on the proposed budget for Fiscal Year 2010-2011.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

2. Council Action 2010-78

Consider Approval of the Proposed Tax Rate for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

Motion was made to propose a tax rate of $.5900 for Fiscal Year 2010-2011.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

3. Council Action 2010-79

Consider Setting the Date, Time and Location for Public Hearings on the Proposed Tax Rate for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

Motion was made to set the dates of Tuesday, August 24th, 6:00 p.m. and Tuesday, August 31st, 6:00 p.m,. to conduct public hearings on the proposed tax rate of $.5900 for Fiscal Year 2010-2011.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

IV. WORK SESSION

1. Work Session (ID # 1764)

Discussion with PGAL Architects Regarding New Concept for City of Liberty Public Works Service Facility Located at 1100 N. Main Street.

COMMENTS - Current Meeting:

Mr. Jeff Gerber, PGAL, was present to address Council on a proposed concept for improvements to the Public Works Service Facility located at 1100 N. Main Street. Mr. Gerber reported that he had put together a design plan to make this facility aesthetically acceptable and an attractive part of the community.

Mr. Gerber, with the use of a powerpoint presentation, showed a way in which the current structure could be converted into a workable facility, while keeping spending at a minimum. Mr. Gerber reviewed the proposed scheme of the floor plan and installation of cubicles, composition and appearance of the exterior of the building and property. Work to be done will include painting, new fencing and landscaping. Further discussion included available space for future growth, additional landscaping, maintenance, and ADA compliance issues.

2. Work Session (ID # 1763)

Discussion of the Proposed Budget for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

Brief discussion was held regarding the proposed budget for Fiscal Year 2010-2011. Items discussed included personnel, proposed metering change-out program and bids for installation, and plans for additional budget work sessions on August 24th and August 31st.

V. COUNCIL MEAL

Council shared an evening meal.

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:25 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz
ABSENT:	Frank Jordan

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty

City Council

Addendum to Meeting

~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Thursday, August 5, 2010 | **7:00 PM** | **City Council Chambers**

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. Addendum to Meeting

II. Work Session

1. Work Session (ID # 1764)

Discussion with PGAL Architects Regarding New Concept for City of Liberty Public Works Service Facility Located at 1100 N. Main Street.

HISTORY:

08/05/10 **City Council**

Mr. Jeff Gerber, PGAL, was present to address Council on a proposed concept for improvements to the Public Works Service Facility located at 1100 N. Main Street. Mr. Gerber reported that he had put together a design plan to make this facility aesthetically acceptable and an attractive part of the community.

Mr. Gerber, with the use of a powerpoint presentation, showed a way in which the current structure could be converted into a workable facility, while keeping spending at a minimum. Mr. Gerber reviewed the proposed scheme of the floor plan and installation of cubicles, composition and appearance of the exterior of the building and property. Work to be done will include painting, new fencing and landscaping. Further discussion included available space for future growth, additional landscaping, maintenance, and ADA compliance issues.

COMMENTS - Current Meeting:

This item was discussed at the special meeting this date, prior to the budget work session.

Minutes Acceptance: Minutes of Aug 5, 2010 6:00 PM (Minutes Approval)

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 08/05/10 07:00 PM
Department: Administration
Category: Miscellaneous

WORK SESSION (ID # 1764)

DOC ID: 1764

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The City of Liberty

City Council

Regular Meeting

~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, August 10, 2010 | **6:00 PM** | **City Council Chambers**

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

The Meeting was called to order on August 10, 2010 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:05 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Al Simonson	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Frank Jordan	Councilperson	Present	

II. INVOCATION

The Invocation was given by Father Sebastian, Immaculate Conception Catholic Church.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Father Sebastian, Immaculate Conception Catholic Church.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council.

1) Ms. Kristen Gunderson, Vocational Adjustment Coordinator and Special Education Teacher, Liberty County Coop, presented a Thank You Ward for the City's participation in the Vocational Adjustment Program. Ms. Gunderson explained the program assists students in seeking, obtaining and retaining employment. Community Services Director, Avon Moore supported this program by providing employment for a student in the Maintenance Department.

2) Councilperson Huddleston reported that there would be a community "Shred-It" Event on September 11th from 9 am until Noon.

3) Ms. Huddleston also reported that the Liberty Rotary Club is sponsoring, in partnership with the City of Liberty and Liberty Independent School District, a community garden. Ms. Huddleston thanked Community Services Director Avon Moore who was present on a recent

work day to operate a tractor and assist with dirt work.

4) Councilperson Jordan reminded everyone of the Liberty-Dayton Area Chamber of Commerce Annual Fundraiser to be held at the Dayton Community Center on Friday, August 13.

5) Mr. Jordan also reported that the Chamber of Commerce monthly luncheon would be held on Wednesday, August 18, with Congressman Ted Poe as speaker.

6) Mayor Pickett reported on the re-dedication of the Humphreys Cultural Center on Wednesday, August 25th, 4-6 p.m.

V. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

A. Minutes Approval

1. Tuesday, June 22, 2010

2. Monday, July 12, 2010

3. Tuesday, July 13, 2010

4. Wednesday, July 14, 2010

5. Tuesday, July 27, 2010

B. Council Action 2010-80

Consider Approval of Amendment No. 7 to the Agreement Between Brazos Transit District and the City of Liberty.

ATTACHMENTS:

- Brazos Transit Amendment 2010 (PDF)

C. Resolution 2010-15

Consider a Resolution Approving Participation in the Region 4 Education Service Center Cooperative Purchasing Network and Appointing an Official Representative to Act for the City in All Matters Relating to the Network.

ATTACHMENTS:

- Region 4 Interlocal Agreement (PDF)

D. Council Action 2010-81

Declare Miscellaneous City Equipment as Surplus Property.

ATTACHMENTS:

- Surplus Property (PDF)

E. Council Action 2010-82

Consider Approval of an Auctioneer Online Agreement for Sale of Surplus Property.

ATTACHMENTS:

- Online Auction Agreement (PDF)

VI. REGULAR AGENDA

A. Regular Session

1. Council Action 2010-83

Consider Ratifying the Liberty Community Development Corporation's Action to Fund a Downtown Analysis and Strategy Program.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that after previous discussion by City Council and LCDC that the City locate someone to put together a plan for the future of the downtown area.

Mr. Broz stated that Retail Coach LLC, who has worked with the City on retail recruitment, presented a proposal, in the amount of $14,000, to compile a plan for improvements to this area that would be aesthetically pleasing, and provide a downtown that the community would be proud of. This plan would include working with merchants, local government, and provide guidelines for exterior facades and future growth.

After brief discussion of possible grants, Main Street Program, and possible postponement of the program due to economic times, a motion was made to ratify the LCDC's action to fund a Downtown Analysis and Strategy Program.

ATTACHMENTS:

- Downtown Analysis & Strategy (PDF)

RESULT:	**APPROVED [5 TO 2]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Jordan
NAYS:	Al Simonson, Louie Potetz

2. Ordinance 2010-17

Consider Adoption of an Ordinance Authorizing the Issuance, Sale and Delivery of "City of Liberty, Texas General Obligation Refunding Bonds, Series 2010; Securing the Payment Thereof by Authorizing the Levy of an Annual Ad Valorem Tax; and Approving and Authorizing the Execution of a Paying Agent/Registrar Agreement, a Purchase Contract, a Deposit Agreement, an Official Statement and All Other Instruments and Procedures Related Thereto.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF $3,115,000 IN AGGREGATE PRINCIPAL AMOUNT OF "CITY OF LIBERTY, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX; AND APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, A DEPOSIT AGREEMENT, AN OFFICIAL STATEMENT AND ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO."

Mr. Bob Henderson, RBC, was present to report that in regard to the City's long term plan of finance, there have been changes to the way in which the City handles it public debt offerings. Mr. Henderson reported that the City has changed from Moodys Investment Services, as a bond rating agency, to Standard & Poors. This change has provided the City with an increase to a new full "A" bond rating.

Discussion was held regarding the new bond rating and purchase of bond insurance allowing the debt to be marketed at a AAA rating, pricing with Southwest Securities as sole underwriter on the transaction, lowering the interest rate from 4.76% to 2.53%, a savings of approximately 2.25%. This allows the debt to be stretched out an additional two years, allows the I & S tax rate to remain the same as the previous year, and saves the City $145,000 over the life of the loan.

After additional discussion of related issues, a motion was made to approve the ordinance authorizing the issuance, sale and delivery of City of Liberty, Texas General Obligation Refunding Bonds, Series 2010, in the amount of $3,115,000.

The vote in favor of the adoption of this ordinance took place at 6:42 p.m.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

3. Ordinance 2010-18

Consider Adoption of an Ordinance Authorizing the Issuance, Sale and Delivery of "City of Liberty, Texas Combination Tax and Revenue Certificates of Obligation, Series 2010A"; Securing the Payment Thereof by Authorizing the Levy of an Annual Ad Valorem Tax and a Pledge of Certain Surplus Revenues of the City's Waterworks and Sewer System; and

Approving and Authorizing the Execution of a Paying Agent/Registrar Agreement, a Purchase Contract, an Official Statement and All Other Instruments and Procedures Related Thereto.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF $4,705,000 IN AGGREGATE PRINCIPAL AMOUNT OF "CITY OF LIBERTY, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2010A"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX AND A PLEDGE OF CERTAIN SURPLUS REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM; AND APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AN OFFICIAL STATEMENT AND ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO."

Mr. Henderson reported that both the refunding debt and the certificates of obligation are similarly secured by a pledge of ad valorem property tax, both transactions were marketed at the same time, with the same bond rating and insurance applications as discussed.

Mr. Henderson remarked that this debt, in accordance with the City's written plan of finance goes out twenty years to finance projects previously approved by Council. Interest rate on this financing is slightly less than 4%, at 3.99%. The anticipated I & S tax rate of both transactions combined is $.2575.

After additional discussion of related issues, a motion was made to approve the ordinance authorizing the issuance, sale and delivery of City of Liberty, Texas Combination Tax and Revenue Certificates of Obligation, Series 2010A, in the amount of $4,705,000.

The vote in favor of the adoption of this ordinance took place at 6:46 p.m.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

4. Ordinance 2010-19

Consider Adoption of an Ordinance Repealing and Replacing Ordinance Nos. 964, 965, and 978 Establishing Fees for Security Deposits, Returned Checks, Delinquent Bills, Suspension of Service, and Service Upgrades Charged by the Light & Power Department, Water & Wastewater Department and Solid Waste Department, Creating Procedures for Online Bill Payment Services, Procedures for the Return of Utility Security Deposits, and Establishing an Exemption from Late Fees for the Disabled and Those 65 Years of Age, and Other Utility Issues Related Thereto.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NUMBERS 964, 965, AND 978 OF THE CITY OF LIBERTY, TEXAS; ESTABLISHING CERTAIN FEES PERTAINING TO SECURITY DEPOSITS, RETURNED CHECKS, DELINQUENT BILLS, SUSPENSION OF SERVICE, AND UPGRADE OF SERVICE TO BE CHARGED BY THE LIGHT AND POWER DEPARTMENT, WATER AND WASTEWATER DEPARTMENT AND SOLID WASTE DEPARTMENT AND CREATING PROCEDURES FOR THE RETURN OF UTILITY SERVICE SECURITY DEPOSITS; ESTABLISHING CERTAIN FEES PERTAINING TO GROSS MONTHLY BILLS, UPGRADE OF ELECTRICAL SERVICE, AND THE PAYMENT OF UTILITY BILLS USING ON-LINE INTERNET BILL PAYING SERVICES TO BE CHARGED BY THE LIGHT AND POWER DEPARTMENT, WATER AND WASTEWATER DEPARTMENT AND SOLID WASTE DEPARTMENT, AND ESTABLISHING AN EXEMPTION FOR CERTAIN CUSTOMERS REGARDING LATE FEES ON GROSS MONTHLY BILLS; PROVIDING AN EXEMPTION FROM THE LATE PAYMENT FEE ON UTILITY BILLS OF INDIVIDUALS WHO ARE DISABLED; PROVIDING A DEFINITION FOR "DISABLED" AS THE TERM IS USED HEREIN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

Discussion was held regarding security deposits, the term "disabled" as it relates to a utility account holder or family member, case by case basis for those not deemed disabled by the Social Security Administration, but deserving and qualified for assistance, exemption from late fees for those 65 years of age, and providing evidence of identification.

City Attorney Randy Gunter confirmed that he would change the ordinance to reflect the case by case basis of those deserving assistance and the requirement that a government issued photo ID be presented as proof of age for the exemption relating to late fees.

Motion was made to adopt the Ordinance with the changes as presented by City Attorney Randy Gunter.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Al Simonson, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

5. Council Action 2010-84

Consider and Approve a Proposal for Solid Waste Collection and Disposal Services.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the City had received proposals for solid waste and collection services from three vendors, reviewing the tabulation sheet with Council. Lengthy discussion included base bids, roll off containers and removal of the exclusive right to provide, proof of insurance, recycling, rates, and additional programs submitted with Waste Management's proposal. Those programs include a recycling kiosk, $1000 recycling grant, $500 scholarship to a local student, roll offs and port-o-lets for events at no charge, annual $1000 sponsorship for a beautification project, and other benefits.

Base collection services include:

Twice per week collection service for residential accounts,

Once per week heavy trash collection, and

Vendor to bill for commercial accounts.

Motion was made to authorize the City Manager to negotiate a contract with Waste Management and return to Council with the final costs and related documents, to include a permitting process for open market roll off containers.

ATTACHMENTS:

- Solid Waste Proposals (PDF)

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Carl Pickett, Dennis Beasley, Diane Huddleston, Al Simonson
NAYS:	Mike McCarty, Louie Potetz, Frank Jordan

6. Council Action 2010-85

Consider Ratifying the Liberty Community Development Corporation’s Action to Fund Airport Improvements.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the proposed changes to the Liberty Municipal Airport to be funded by the Liberty Community Development Corporation.

LCDC funds will be used to set up a terminal building, relocate the fuel farm, construct a terminal parking lot, and build a 10 bay T-hangar with aprons on both sides. Total cost of these improvements is $896,500. The City has $448,424 of its own money and will be requesting $450,000 from LCDC. If the City builds the hangar, TXDOT will complete the paving, possibly providing enough funds for the City to construct two hangars.

Motion was made to ratify the Liberty Community Development Corporation's action of funding the airport improvements.

ATTACHMENTS:

- Airport Improvements 2010 (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

7. Council Action 2010-86

Consider Award of Bid for Round 1 Disaster Fund Materials.

COMMENTS - Current Meeting:

Mr. Broz reported that the City received three proposals relative to the Texas Department of Rural Affairs Round 1 Disaster Funds. These funds represent a 100% no-match grant in the amount of $23,132.81 for utility pole and hardware replacement, to enhance the City's electric system. The City will purchase the supplies and a contractor will install the poles. Management recommends the purchase of the supplies from Texas Electric Coop, in the amount of $23,132.81.

Motion was made to purchase these materials from Texas Electric Coop, in the amount of $23,132.81.

ATTACHMENTS:

- Round 1 Disaster Fund info (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Al Simonson, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

8. Council Action 2010-87

Consider and Approve Change Order No. 16 for the Humphreys Cultural Center Expansion Project.

COMMENTS - Current Meeting:

City Manager Broz reported on Change Order No. 16 for elevator shaft work and other miscellaneous items in the amount of $3632.75.

Finance Director Naomi Herrington reviewed the Cultural Center Expansion financing to date, including projected revenue sources, projected expenditures, and additional expenses.

Motion was made to approve the change order up to the specified amount, and authorizing the City Manager to negotiate with the architect and the contractor for a reduction of this expense.

ATTACHMENTS:

- HCC Change Order No. 16 (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

9. Council Action 2010-88

Consider an Appointment to the Liberty Community Development Corporation Board of Directors.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	**NO ACTION TAKEN**

10. Resolution 2010-16

Consider a Resolution Supporting the Transfer of Liberty County from the BeaumontTXDOT District to the Houston TXDOT District.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Resolution into the record as follows:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS SUPPORTING THE TRANSFER OF LIBERTY COUNTY FROM THE BEAUMONT TEXAS DEPARTMENT OF TRANSPORTATION DISTRICT TO THE HOUSTON TEXAS DEPARTMENT OF TRANSPORTATION DISTRICT."

Motion was made to approve the Resolution.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

11. Resolution (ID # 1780)

Consider Approval of a Resolution Approving an Electrical Services Agreement with Boomerang Tube, LLC.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	**NO ACTION TAKEN**

12. Ordinance (ID # 1781)

Consider Approval of an Ordinance Setting a Nominated Resource Industrial Customer Rate.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	**NO ACTION TAKEN**

B. Executive Session

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087
Consultation With Attorney. Gov. Code §551.071
Meeting Concerning Municipally Owned Utility. Gov. Code §551.086

Deliberation Regarding Real Property. Gov. Code §551.072

1. Discussion of industrial electric rate ordinance and electric service agreement with Boomerang Tube, LLC.

2. Discussion of spur.

At 8:25 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 9:04 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Ordinance 2010-16

Considerapproval of an Ordinance Setting a Nominated Resource Industrial Customer Rate.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS DESIGNATING A NOMINATED RESOURCE RATE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE DAYS."

Motion was made to adopt the Ordinance setting a Nominated Resource Industrial Customer Rate.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

2. Resolution 2010-14

Consider Approval of a Resolution Approving an Electrical Services Agreement with Boomerang Tube, LLC.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Resolution into the record as follows:

"A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, INDICATING ITS INTENT TO ADOPT THE ELECTRIC SERVICE AND RATE AGREEMENT WITH BOOMERANG TUBE, LLC"

Motion was made to approve the Resolution approving an Electrical Services and Rate Agreement with Boomerang Tube, LLC.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

VII. COUNCIL MEAL

Council shared an evening meal.

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 9:06 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Al Simonson, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty

City Council

Special Called Meeting

~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, August 24, 2010	6:00 PM	City Council Chambers

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

The Meeting was called to order on August 24, 2010 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Al Simonson	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Frank Jordan	Councilperson	Present	

II. INVOCATION

This item was passed on.

III. PLEDGE OF ALLEGIANCE

This item was passed on.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council.

1) Police Chief Billy Tidwell reported that the department had received notice from the 100 Club of an award of $14,700, for custom made, state of the art ballistic vests for the officers.

2) Mayor Pickett reported that the re-dedication of the Humphreys Cultural Center would be held on Wednesday, August 25th, 4-6 p.m. Mayor Pickett also reported there would be a special called meeting of the City Council on August 31st, 6 p.m.

3) Mr. Clarence Martin addressed the Council regarding his disapproval and concerns regarding the proposed tax rate for the fiscal year ending September 30, 2011.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 1788)

Proposed Electric/Water Meter Change-Out Program.

COMMENTS - Current Meeting:

Sensus representatives Billy Madrid, Lee Goodson, and Todd Madrid made a presentation on the proposed electric and water meter change out program. This presentation centered on the operation and functionality of the meters, to also include monitoring leaks, theft of service, outages, and other various processes.

B. Information Item (ID # 1786)

Financial Report July 2010 - Finance Director Naomi Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reviewed the July 2010 financial report with Council. Ms. Herrington reviewed the various funds, related revenues and expenses, and fund balances. Discussion included sales tax revenues, no transfers of funds, and other related topics.

C. Information Item (ID # 1787)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported on the upcoming "Shred-It" Event to be held on September 11th in the City Hall parking lot. This event is to provide the citizenry with a disposal method for their personal sensitive documents.

VI. REGULAR AGENDA

A. Regular Session

1. Council Action 2010-89

Consider Authorizing the City Manager to Execute an Engagement Letter for City Audit Services with Swaim, Hanagriff & Associates.

COMMENTS - Current Meeting:

Motion was made to authorize the City Manager to execute an engagement letter with Swaim, Hanagriff, and Associates for annual audit services, for the year ending September 30, 2010.

ATTACHMENTS:

- 2010 Audit Engagement Letter.txt (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

2. Council Action 2010-90

Consider an Agreement Between the City of Liberty and Liberty County, Texas Regarding Disbursement of Forfeited Proceeds.

COMMENTS - Current Meeting:

Police Chief Billy Tidwell reported that the Police Department participated with the County Attorney's Office, in the search, seizure, arrest and prosecution of charges filed for possession of gambling devices at a local establishment. The Police Department will be awarded $4,428.75, which is 75% of the seizure.

Motion was made to approve the agreement with Liberty County for the disposition and receipt of seized funds.

ATTACHMENTS:

- City&County Seizure Proceeds (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

3. Resolution 2010-17

Consider a Resolution to Enter into a Contract for Solid Waste Collection and Disposal Services and Authorize the Mayor to Execute Same.

COMMENTS - Current Meeting:

Mr. Broz reported that this Resolution allows the City to enter into a contract with Waste Management for solid waste collection and disposal services. Mr. Broz further reported that WM will retain the market on permanent roll-offs while allowing for free enterprise on short-term temporary roll-off containers. Several major changes to the service provided by WM are brush collection, billing of commercial accounts, an education scholarship, and a kiosk for recycling.

Motion was made to approve the Resolution and enter into a contract with Waste Management.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

4. Ordinance (ID # 1800)

Consider an Ordinance Establishing Fees Charged by the City of Liberty for the Collection and Disposal of Garbage and Rubbish.

COMMENTS - Current Meeting:

This item was passed on.

RESULT:	**NO ACTION TAKEN**

5. Council Action 2010-91

Consider Award of Assorted Fire Department Equipment.

COMMENTS - Current Meeting:

Fire Chief Fred Collins reviewed the equipment that the department proposes to purchase from available funds as a result of the recent issuance of certificates of obligation. This equipment consists of the following:

1) a heart monitor - $29,664.00
2) C-PAP- $7,227.80
3) miscellaneous hose & equipment - $10,000

Total approximate cost - $48,000.

Motion was made to approve the expenditure for equipment as recommended by management and Fire Chief Fred Collins.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

6. Council Action 2010-92

Consider Authorizing the City Manager to Negotiate a Contract Between the City of Liberty and INCODE for Law Enforcement Software.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that $94,000 had been budgeted in the recent issuance of certificates of obligation for law enforcement software. Mr. Broz recommended the purchase of INCODE Software from Tyler Technologies as it works in conjunction with municipal court software and the City's INCODE software. Software price is $64,000, maintenance fees are $12,000, and $15,000 for a server with installation, for an approximate cost of $91,000.

Motion was made to authorize the City Manager to negotiate a contract for INCODE law enforcement software.

ATTACHMENTS:

- INCODE Proposal PD 2010 (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

7. Council Action 2010-93

Consider Authorizing the City Manager to Execute a Contract with Combs Consulting Group for City IT Services.

COMMENTS - Current Meeting:

City Manager Gary Broz addressed Council regarding the future of City IT services. Mr. Broz reported that the City had recently received only one proposal for IT Services, from Combs Consulting Group. Proposed cost is $21,000 to perform an IT infrastructure evaluation and develop an IT strategic plan. $80,000 was budgeted in the recent certificates of obligation for IT services. Mr. Broz remarked that the City needs one individual or vendor to handle all of the city's technology issues.

After further discussion, there was no action taken on this agenda item. It will be brought before Council at a later date.

RESULT:	**NO ACTION TAKEN**

8. Council Action 2010-94

Consider Authorizing the City Manager to Execute an Agreement for Records Retention Services.

COMMENTS - Current Meeting:

Mr. Broz reported to Council that the City had received a proposal for records retention services from Records Consultants, Inc. (RCI). This vendor will inventory and process records in accordance with Texas State Library and Archives Commission records retention schedules. Proposal amount is $13,800.

Motion was made to approve the proposal from RCI, in the amount of $13,800.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

9. Council Action 2010-95

Consider Authorizing the City Manager to Execute a Professional Services Agreement for a Legal Review and Re-Codification of the City’s Code of Ordinances.

COMMENTS - Current Meeting:

Mr. Broz stated that the City sought proposals for re-codification services for the City's Code of Ordinances. Two proposals were received for these services, which also include a legal review of the codebook. The existing code will be reviewed against state, federal and case law to determine any provisions that are unlawful, unconstitutional, obsolete or unenforceable.

Motion was made to authorize the City Manager to execute a professional services agreement with Franklin Legal Publishing.

ATTACHMENTS:

- Recodification Cost (XLS)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

10. Public Hearing (ID # 1794)

Proposed Budget for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

At 7:43 p.m., Mayor Pickett opened the Public Hearing on the proposed budget for Fiscal Year 2010-2011.

Mr. Broz distributed a handout to Council, relative to the proposed budget for the fiscal year ending September 30, 2011. There were no comments.

At 7:44 p.m., Mayor Pickett closed the Public Hearing.

11. Council Action 2010-96

Consider Postponement of Final Vote on the FY 2010-2011 Budget Until September 14, 2010.

COMMENTS - Current Meeting:

Motion was made to postpone the final vote on the FY 2010-2011 budget until September 14, 2010.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

12. Public Hearing (ID # 1796)

Proposed Tax Rate for Fiscal Year 2010-2011.

Minutes Acceptance: Minutes of Aug 24, 2010 6:00 PM (Minutes Approval)

COMMENTS - Current Meeting:

At 7:51 p.m., Mayor Pickett opened the Public Hearing on the proposed tax rate for Fiscal Year 2010-2011.

Lengthy discussion was held regarding issues with the increase in property values, the effective tax rate of $.5745, maintaining the current rate of $.5900, personnel and city services, and other related topics.

At 8:23 p.m., Mayor Pickett closed the Public Hearing.

B. Executive Session

Consultation With Attorney. Gov. Code 1551.071
Pending/Contemplated Litigation - Administrative Appeal

At 8:23 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:48 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

There was no action taken.

VII. WORK SESSION

1. Work Session (ID # 1798)

Discussion of Proposed Budget for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the proposed budget is still a work in progress, and has been revised from the initial document presented to Council. Discussion was held regarding transfers, personnel, sales tax, and other budget related issues.

VIII. COUNCIL MEAL

Council shared an evening meal.

IX. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 8:58 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty
City Council
Special Called Meeting
~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, August 31, 2010 **6:00 PM** **City Council Chambers**

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

The Meeting was called to order on August 31, 2010 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:00 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Mike McCarty	Mayor Pro-Tem	Absent	
Al Simonson	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Frank Jordan	Councilperson	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council.

There were no comments.

III. REGULAR AGENDA

A. Regular Session

1. Council Action 2010-98

Consider Future IT Services for the City of Liberty.

COMMENTS - Current Meeting:

City Manager Gary Broz addressed Council regarding the need for an evaluation of the city's IT infrastructure and solutions for current and future IT concerns. Mr. Broz stated that he would like to have a plan whereby one individual or vendor would handle all the City's IT issues. Discussion included internet, intranet, email, networking, and other related topics.

There has been $80,000 budgeted for IT services and development with funds from the recent issuance of certificates of obligation.

RESULT:	**NO ACTION TAKEN**

2. Council Action 2010-97

Consider Rejecting Proposal for City IT Services.

COMMENTS - Current Meeting:

The City had previously received one proposal for IT Services from the Combs Consulting Group. The proposal was in the amount of $21,000 for an infrastructure evaluation and development of an IT Plan. This process would take 62 days to complete.

No action was taken on this item.

RESULT:	**NO ACTION TAKEN**

3. Public Hearing (ID # 1803)

Proposed Tax Rate for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

At 6:18 p.m., Mayor Pickett opened the Public Hearing on the proposed tax rate for Fiscal Year 2010-2011. The first required public hearing was held on August 24th.

Discussion was held regarding the proposed tax rate of $.5900, reserves, bad debt, possibly lowering the tax rate, and other tax related issues.

At 6:35 p.m., Mayor Pickett closed the Public Hearing.

IV. WORK SESSION

1. Work Session (ID # 1804)

Discussion of Proposed Budget for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

City Manager Gary Broz discussed with Council changes made to the proposed budget. Discussion included outstanding FEMA revenue, fund balances, grants, fitness program for employees, uniforms, hurricane preparedness, meter change out program, and other city services.

V. COUNCIL MEAL

Council shared an evening meal.

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:21 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, Simonson, Potetz, Jordan
ABSENT:	Mike McCarty

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Proposals

COUNCIL ACTION (ID # 1808)

DOC ID: 1808

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COMBS Consulting Group IT design & consulting

B. PROPOSAL SUMMARY

Combs Consulting Group has read the Request for Proposal and understands the City of Liberty is soliciting proposals from vendors with the skill sets and capacity to successfully assist the City of Liberty in performing an IT infrastructure evaluation as well as developing an IT strategic plan and migration plan. The vendor must be an excellent communicator that can write clearly and concisely and must have experience in information technology strategic planning, information architecture and long-range planning to support continued growth.

Combs Consulting Group has extensive experience and expertise in providing professional IT design and consulting services to include IT evaluations, strategic planning, tactical planning, migration planning and long range planning. We feel certain we can assist the City of Liberty and ultimately provide an evaluation and plans that will highlight current strengths and weaknesses, as well as identify, prioritize and cost estimate the projects that should be focused on over the next five years.

Combs Consulting Group is proposing to assist the City of Liberty with the development of an IT infrastructure evaluation, IT strategic plan, tactical plan and migration plan. The deliverables proposed include;

1) Five year strategic plan addressing enhancement and improvement of information technology effectiveness; applications; minimize its support cost; infrastructure; enhance its quality of service; disaster recovery; industry standards; maximize return on investment and maintain the City's vision for the future.

2) Five-year Strategic and Master plan addressing some management tools identified such as a technology portfolio.

3) Conceptual infrastructure design and a specific detailed migration plan addressing the creation of a more flexible and cost effective hardware infrastructure.

Combs Consulting Group has five (5) dedicated consultants that are responsible for the delivery of our professional design and consulting services. Our consultants provide decades of combined experience and expertise in all facets of IT design and consulting including IT evaluations, strategic planning, tactical planning, migration planning, long range planning, detailed design and construction administration of information technology and security systems. Members of our team hold registrations in the information technology and/or security industry from internationally recognized organizations such as American Society for Industrial Security (ASIS) and Building Industry Consulting Services International (BICSI).

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C. TASK AREA DESCRIPTIONS

- Development of existing technology inventory

Combs Consulting Group will request the following from the City of Liberty as or applicable to the project; network diagrams, equipment inventories, service provider contracts, etc. We will carefully review this data and begin our formal assessment and analysis of the existing technology systems and services. The assessment and analysis will include detailed site visits of the facilities to evaluate and document the existing technology deployed throughout the City of Liberty.

This approach will allow us to assess, analyze and document the existing technology systems (cable infrastructure, voice systems, data systems, audio/visual systems, security systems, service providers, etc.) deployed throughout the City of Liberty. The assessment and analysis will provide us with an understanding of the existing technology equipment, systems and services and provide us with the necessary information to assess current capabilities. Upon completion of the assessment, we will create an equipment inventory list and schematic network diagrams of the existing systems.

- Involvement of City staff in the strategic plan discussion

Combs Consulting Group will work with the City of Liberty to identify the key stakeholders for the strategic plan, tactical plan and migration plan. Upon completion of the initial assessment and analysis of the existing technology equipment, systems and services we will schedule meetings with key stakeholders to gain a full understanding of all applicable data as well as short and long term goals for the implementation of technology to support operations within the City of Liberty.

Combs Consulting Group sees the key stakeholders being instrumental in the process and participating throughout the process in all applicable meetings and reviews. Depending upon the number of stakeholders, we may recommend the development of a brief survey to be distributed to the stakeholders to provide the opportunity to collect and review some key data before scheduling meetings with the stakeholders.

- Assessment of current strengths and weaknesses

Combs Consulting Group will review all applicable data provided by the City of Liberty as well as the data collected during the site visits and equipment inventory. This information will be compared to the data collected from key stakeholders regarding the short and long terms goals for the implementation of technology to support operations within the City of Liberty. Combs Consulting Group will look at the life cycle and scalability of the existing systems and determine which systems are capable of meeting the

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short and long term goals for the implementation of technology to support operations within the City of Liberty. This detailed review and

comparison will provide us with an understanding of the existing technology equipment, systems and services and provide us with the necessary information to assess current strengths and weaknesses.

- Infrastructure evaluation

  Combs Consulting Group will include the infrastructure evaluation as part of the "existing technology inventory" and "assessment of current strengths and weaknesses" as indicated earlier in this section.

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D. PROJECT SCHEDULE AND WORKPLAN

Worksheet, Gantt Chart & Fee Schedule

Please see the enclosed Table, Attachment #1, addressing the beginning and end dates of all tasks

Attachment #1

Est. Start Date	Est. End Date	Days	Project Milestones & Activities
7/19/2010	7/30/2010	10	**Discovery**
			- Initial Request for Information
			- Site Surveys
			- Compile Discovery Data
			- Publish Initial Findings
			- Findings Review Meeting w/Stakeholders
8/2/2010	8/27/2010	20	**Assessment**
			- Research & Identify Potential Solutions
			- Conduct Stakeholder Meetings
			- Compile Meeting Comments & Research Additional Data
			- Develop Draft Assessment
8/30/2010	9/24/2010	20	**Master Planning**
			- Present Draft Assessment & Recommendations to Stakeholders
			- Incorporate Assessment & Recommendations Comments
			- Develop Master Plan
			- Publish Assessment, Recommendations & Master Plan Document
			- Present Draft Assessment, Recommendations & Master Plan to Stakeholders
			- Incorporate Comments & Finalize
9/27/2010	10/12/2010	12	**Presentation**
			- Prepare Presentation to City Counsel
			- Reproduce & Publish Final Assessment, Recommendations and Master Plan
			- Present Report to City Counsel; 6:00pm CDT, Tuesday October 12, 2010
Total Days Estimated Working Days for Assessment, Recommendations and Master Planning Report = 62			

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Gantt chart, Attachment #2, - Vendor Staff Assignments

CODE	Vendor Staff Assignments/Hours	TOTAL CONSULTANT HOURS	TOTAL PRINCIPAL – IN - CHARGE HOURS
	PROPOSED TASKS		
T.1	Kick-Off Meeting	2	2
T.2	Request Applicable Data from the City of Liberty	1	0
T.3	Obtain Applicable Data from the City of Liberty	1	0
T.4	Review Applicable Data from the City of Liberty	8	0
T.5	Perform Detailed Site Visits to Review Existing Technology	12	0
T.6	Develop Existing Technology Inventory	6	0
T.7	Evaluate Current Infrastructure	8	0
T.8	Assessment of Current Strengths and Weaknesses	8	0
T.9	Meeting 1 with City of Liberty Key Stakeholders to Discuss Short and Long-Term Goals & Potential Solutions	2	0
T.10	Evaluate Potential Solutions with the City of Liberty	12	4
T.11	Develop and Recommend Budget Estimates for Potential Solutions	12	4
T.12	Meeting 2 with Key Stakeholders to Discuss Short and Long-Term Goals & Potential Solutions	4	0
T.13	Develop Draft Strategic and Tactical Plans	16	4
T.14	Deliver Draft Strategic and Tactical Plans	0	0
T.15	Present Draft Recommendations to City of Liberty for Review and Edits for City Council Presentation	4	0
T.16	Finalize Strategic and Tactical Plans	12	4
T.17	Deliver Final Strategic and Tactical Plans	0	0
T.18	Develop Draft Migration Plan	12	4
T.19	Deliver Draft Migration Plan	0	0
T.20	Present Draft Report to City of Liberty for Review and Edits for City Council Presentation	4	0
T.21	Prepare Presentation for City Council	10	4
T.22	Publish & Finalize Migration Plan	2	0

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T.23	Present Final Migration Plan to the City Council	2	0
T.24	**TOTAL**	138	26
T.25	**TOTAL HOURS FOR PROJECT**	164	

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Work Plan

Combs Consulting Group will request and obtain the following from the City of Liberty as available or applicable to the project; technology plan, technology guidelines, networking standards, network diagrams, equipment inventories, service provider contracts and any planned initiatives or other pertinent data. We will carefully review this data and schedule meetings with key stakeholders to gain a full understanding of all applicable data as well as short and long term goals for the implementation of technology to support operations within the City of Liberty. Combs Consulting Group will also conduct detailed site visits of the facility to evaluate and document the existing technology deployed throughout the City.

After completion of the initial data gathering and key stakeholder meetings, Combs Consulting Group will develop and deliver a draft strategic plan, tactical plan and migration plan to the City of Liberty for review and comment. Combs Consulting Group will meet with the City of Liberty to obtain and discuss their comments and will incorporate all applicable comments into the final plans. These plans will include but not be limited to identifying the state of the City of Liberty's existing technology systems and the ability of those systems to meet the City's short and long-term goals for technology implementation, recommendations for upgrades and/or replacement of systems, recommendations for the prioritization of implementation or upgrades and/or replacement, and associated budget estimates for systems implementation.

Work Tasks

- Schedule kick-off meeting
- Request applicable data from the City of Liberty
- Obtain applicable data from the City of Liberty
- Review applicable data from the City of Liberty
- Perform detailed site visits to review existing technology
- Develop existing technology inventory
- Evaluate current infrastructure
- Assess current strengths and weaknesses
- Meet with key stakeholders and/or departments to discuss short and long term goals
- Meet with key stakeholders and/or departments to discuss potential solutions
- Evaluate potential solutions with the City of Liberty
- Develop and recommend budget estimates for potential solutions
- Develop and Deliver draft strategic plan
- Meet to review and obtain comments on draft strategic and tactical plans
- Develop and Deliver final strategic plan
- Develop and Deliver draft migration plan

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- Meet to review and discuss draft migration plan
- Develop final migration plan
- Deliver final migration plan

(1) Assist - Prop Planner
(2) Detail Design ~~Eval Bid~~
(3) ~~Review~~ Bid & Review
(4) Evaluate
(5) Do it

Deliverables

- Draft & final Strategic Plan
- Draft & Final Migration Plan

Exclusions to Work Plan

Combs Consulting Group has excluded the following from the proposed fixed fee scope of work/work plan and is proposing that hourly rates included with this proposal be used for additional services in the event that the Owner requests work outside of the defined scope of work/work plan or the following are required as part of the project:

1. The detailed design procurement or implementation management of security system electronic hardware or wiring such as video surveillance, access control, intrusion detection or other similar electronic end equipment unless the agreement between parties is updated to reflect those design services.

2. The detailed design procurement or implementation management of data network system electronic hardware or wiring such as routers, switches, servers, wireless access points, computers, or other similar electronic end equipment unless the agreement between parties is updated to reflect those design services.

3. The detailed design procurement or implementation management of voice system electronic hardware or wiring such as key systems, PBXs, VoIP systems, handsets, facsimiles, or other similar electronic end equipment unless the agreement between parties is updated to reflect those design services.

4. The detailed design procurement or implementation management of audio/visual system electronic hardware or wiring such as projection systems, projection screens, televisions, plasma displays, media retrieval systems, video head-end systems, or other similar electronic end equipment for any other facilities other than Rooster Springs ES unless the agreement between parties is updated to reflect those design services.

5. The detailed design procurement or implementation management of public address electronic hardware or wiring such as speakers, amps, power supplies or other similar electronic end equipment unless the agreement between parties is updated to reflect those design services.

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400 Bowie Street • Austin, Texas 78703 • Voice: 512-433-2696 • Fax: 512-476-2252

COMBS Consulting Group
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6. The detailed design procurement or implementation management of clock system electronic hardware or wiring such as clocks, power supplies or other similar electronic end equipment unless the agreement between parties is updated to reflect those design services.

7. The detailed design procurement or implementation management of data, voice, video, security, public address, or clock system cable infrastructure or other similar cable infrastructure unless the agreement between parties is updated to reflect those design services.

8. The development issuance or implementation management of updated documents addressing scope changes, not the fault of Combs Consulting Group, to previously approved documents initiated or required by parties other than Combs Consulting Group.

9. In the event a portion of or the entire project is cancelled by the City of Liberty Combs Consulting Group will invoice up to the current progress of the project prior to cancellation and the City of Liberty shall pay within 30 calendar days.

10. All invoices shall be paid by the City of Liberty within 30 calendar days from the date of the invoice.

Task Descriptions

Kick-Off Meeting: Combs Consulting Group will schedule and conduct an initial meeting for introductions, scope overview, schedule overview, defining lines of communications, identification of key stakeholders, etc.

Request Applicable Data: Combs Consulting Group will develop a letter requesting applicable data (technology plan, technology guidelines, networking standards, network diagrams, equipment inventories, service provider contracts and any planned initiatives or other pertinent data) from the City of Liberty, which will assist with the IT strategic planning, tactical planning and migration planning.

Obtain Applicable Data: Combs Consulting Group will obtain applicable data (technology plan, technology guidelines, networking standards, network diagrams, equipment inventories, service provider contracts and any planned initiatives or other pertinent data) from the City of Liberty, which will assist with the IT strategic planning, tactical planning and migration planning.

Review Applicable Data: Combs Consulting Group will review applicable data (technology plan, technology guidelines, networking standards, network diagrams, equipment inventories, service provider contracts and any planned initiatives or other pertinent data) obtained from the City of Liberty, which will assist with the IT strategic planning, tactical planning and migration planning.

Perform Detailed Site Visits: Combs Consulting Group will perform detailed site visits of the City of Liberty facilities to gather applicable data and develop the existing technology systems inventory.

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Develop Existing Technology Systems Inventory: Combs Consulting Group will develop an existing technology systems inventory based on information provided by the City of Liberty and information gathered during our site visits.

Evaluate Current Infrastructure: Combs Consulting Group will utilize the information provided from The City of Liberty and information gathered during our site visits to evaluate the current infrastructure.

Assess Current Strengths and Weaknesses: Combs Consulting Group will utilize the information provided from the City of Liberty and information gathered during our site visits to assess current strengths and weaknesses.

Meet with Key Stakeholders to Discuss Short and Long-Term Goals: Combs Consulting Group will meet with key stakeholders to review information, gain an understanding of all information gathered and obtain short and long-term goals for the implementation of technology to support operations within the City of Liberty

Meet with Key Stakeholders to Discuss Potential Solutions: Combs Consulting Group will meet with key stakeholders to recommend and discuss potential solutions to assist the City of Liberty with obtaining their short and long-term goals for the implementation of technology to support operations within the City of Liberty

Evaluate Potential Solutions: Combs Consulting Group will recommend and evaluate potential solutions to assist the City of Liberty with obtaining their short and long-term goals for the implementation of technology to support operations within the City of Liberty. This evaluation may include presentations from Combs Consulting Group and/or manufacturers on specific solutions Combs Consulting Group believes may best meet the needs of the City of Liberty

Develop and Recommend Budget Estimates for Potential Solutions: Based on information gathered during the key meetings with stakeholders and the evaluation of potential solutions, Combs Consulting Group will develop and recommend budget estimates for potential solutions to assist the City of Liberty with obtaining their short and long-term goals for the implementation of technology to support operations within the City of Liberty

Develop Draft Strategic and Tactical Plans: Combs Consulting Group will incorporate all applicable information gathered and develop a draft of the strategic and tactical plans.

Deliver Draft Strategic and Tactical Plans: Combs Consulting Group will deliver a draft of the strategic and tactical plans to the City of Liberty Research for review and comment.

Meet to Review and Obtain Comments: Combs Consulting Group will meet with key stakeholders to review the draft strategic and tactical plans, answer questions and obtain comments for incorporation into the final strategic and tactical plans.

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Finalize Strategic and Tactical Plans: Combs Consulting Group will incorporate comments received from the review meeting and finalize the strategic and tactical plans.

Deliver Final Strategic and Tactical Plans: Combs Consulting Group will deliver the final strategic and tactical plans to the City of Liberty

Develop Draft Migration Plan: Combs Consulting Group will incorporate all applicable information gathered and develop a draft of the migration plan.

Deliver Draft Migration Plan: Combs Consulting Group will deliver a draft of the migration plan to the City of Liberty for review and comment.

Meet to Review and Obtain Comments: Combs Consulting Group will meet with key stakeholders to review the draft migration plan, answer questions and obtain comments for incorporation into the final plan.

Finalize Migration Plan: Combs Consulting Group will incorporate comments received from the review meeting and finalize the migration plan.

Deliver Final Migration Plan: Combs Consulting Group will deliver the final migration plan to The City of Liberty

Deliverables

Strategic Plan: The strategic plan will provide a clear picture of where you are today and where you want to be in three to five years. The strategic plan establish budgetary estimates and prioritize the required steps to assist you with moving forward with your technology initiatives. Successfully done, it can be the difference in having the flexibility to change direction with the business and/or technology environment or potentially having to justify paying for all new systems every few years.

Migration Plan: The migration plan will incorporate information from the strategic plan and will include conceptual design alternatives of technology equipment, systems and services to meet the plan requirements. Additionally, the migration plan will provide a cost benefit analysis of conceptual design alternatives along with associated budgets, schedules and migration strategies.

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Fee Schedule

Combs Consulting Group is proposing the overall fee of $21,150.00 for the City of Liberty IT strategic and migration plan defined as the scope of work/work plan. Our fees are inclusive of the scope of work/work plan as indicated in this proposal.

It is important to note that if the City of Liberty feels we have inaccurately estimated/recommended tasks or associated man-hours, we will be pleased to further discuss the specific items of concern and determine if we can make the appropriate adjustments.

CODE	Vendor Staff Assignments/Hours	TOTAL CONSUL HOURS	CONSUL RATE	TOTAL CONSUL	TOTAL PIC HOURS	PIC RATE	TOTAL PIC
	PROPOSED TASKS						
T.1	Kick-Off Meeting	2	$ 125.00	$ 250.00	2	$ 150.00	$ 300.00
T.2	Request Applicable Data from the City of Liberty	1	$ 125.00	$ 125.00	0	$ 150.00	$ -
T.3	Obtain Applicable Data from the City of Liberty	1	$ 125.00	$ 125.00	0	$ 150.00	$ -
T.4	Review Applicable Data from the City of Liberty	8	$ 125.00	$ 500.00	0	$ 150.00	$ -
T.5	Perform Detailed Site Visits to Review Existing Technology	12	$ 125.00	$ 500.00	0	$ 150.00	$ -
T.6	Develop Existing Technology Inventory	6	$ 125.00	$ 250.00	0	$ 150.00	$ -
T.7	Evaluate Current Infrastructure	8	$ 125.00	$ 500.00	0	$ 150.00	$ -
T.8	Assess Current Strengths and Weaknesses	8	$ 125.00	$ 500.00	0	$ 150.00	$ -
T.9	Meeting 1 with City of Liberty Key Stakeholders to Discuss Short and Long-Term Goals & Potential Solutions	2	$ 125.00	$ 250.00	0	$ 150.00	$ -
T.10	Evaluate Potential Solutions with the City of Liberty	12	$ 125.00	$ 1,250.00	4	$ 150.00	$ 300.00
T.11	Develop and Recommend Budget Estimates for Potential Solutions	12	$ 125.00	$ 1,250.00	4	$ 150.00	$ 300.00
T.12	Meeting 2 with Key Stakeholders to Discuss Short and Long-Term Goals & Potential Solutions	4	$ 125.00	$ 500.00	0	$ 150.00	$ -
T.13	Develop Draft Strategic Plan	16	$ 125.00	$ 1,250.00	4	$ 150.00	$ 300.00
T.14	Deliver Draft Strategic Plan	0	$ 125.00	$ -	0	$ 150.00	$ -
T.15	Present Draft Recommendations to City of Liberty for Review and Edits for City Council Presentation	4	$ 125.00	$ 500.00	0	$ 150.00	$ -
T.16	Finalize Strategic Plan	12	$ 125.00	$ 1,250.00	4	$ 150.00	$ 300.00

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T.17	Deliver Final Strategic Plan	0	$ 125.00	$ -	0	$ 150.00	$ -
T.18	Develop Draft Migration Plan	12	$ 125.00	$ 1,250.00	4	$ 150.00	$ 300.00
T.19	Deliver Draft Migration Plan	0	$ 125.00	$ -	0	$ 150.00	$ -
T.20	Present Draft Report to City of Liberty for Review and Edits for City Council Presentation	4	$ 125.00	$ 500.00	0	$ 150.00	$ -
T21	Prepare Presentation for City Council	10	$ 125.00	$ 1,000.00	4	$ 150.00	$ 300.00
T.22	Publish & Finalize Migration Plan	2	$ 125.00	$ 300.00	0	$ 150.00	$ -
T.23	Present Final Migration Plan to the City Council	2	$ 125.00	$ 300.00	0	$ 150.00	$ -
	SUB-TOTAL	**138**		**$ 17,250.00**	**26**		**$ 3,900.00**
	TOTAL		**$ 21,150.00**				

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: TXDOT Issues

RESOLUTION (ID # 1820)

DOC ID: 1820 A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, ESTABLISHING THAT THE TRINITY VALLEY FAIR & EXPOSITION, AND ITS RELATED EVENTS SERVE A PUBLIC PURPOSE AND AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF LIBERTY, TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF A PORTION OF STATE RIGHT-OF-WAY DURING TVE PARADES.

WHEREAS, on October 19 thru 23, 2010, the Trinity Valley Fair and Exposition (TVE) of Liberty County, Texas will sponsor, promote, and conduct it 102nd annual event; and

WHEREAS, the TVE is an annual festival-type event offering a variety of entertainment and youth-oriented events in a family-oriented atmosphere for the citizens of Liberty and surrounding areas; and

WHEREAS, it is necessary to close certain street right-of-ways in the downtown area of the City of Liberty, Texas, during the TVE Baby Parade and TVE Opening Day Parade for the safety and convenience of those attending the event; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

Section 1. The City Council of the City of Liberty hereby finds that the TVE serves a public purpose.

Section 2. The City Council of the City of Liberty hereby authorizes the City of Liberty to enter into an agreement with the Texas Department of Transportation for the temporary closure of a portion of state right-of-way during the 2010 TVE Baby Parade on October 16, 2010 and the Opening Day Parade on October 20, 2010.

Section 3. The City Council of the City of Liberty hereby further consents to and authorizes its City Manager to negotiate and execute an agreement with the Texas Department of Transportation for the temporary closure of a portion of state right-of-way during the 2009 TVE Parades.

PASSED, APPROVED, AND RESOLVED this 14th day of September, 2010.

____

Carl Pickett, Mayor
City of Liberty, Texas

ATTEST:

____

Dianne Tidwell, City Secretary

Texas Department of Transportation
Form 2045 (8/2001)
(GSD-EPC)
Page 1 of 6

THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

Agreement for the Temporary Closure of State Right of Way

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation hereinafter called the "State", and the City of **Liberty**, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "City".

WITNESSETH

WHEREAS, the State owns and operates a system of highways for public use and benefit, including **Loop 227**, in **Liberty** County; and

WHEREAS, the City has requested the temporary closure of **Loop 227 between Jefferson Drive and Sam Houston Street**, For the purposes of **TVE Baby Parade** ________________, as described in the attached "Exhibit A", hereinafter identified as the "Event"; and

WHEREAS, the Event will be located within the City's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the **14th** day of **September** **2010** the **Liberty** City Council passed Resolution/Ordinance No. ______________, attached hereto and identified as "Exhibit B", establishing that the Event serves a public purpose and authorizing the City to enter into this agreement with the State; and

WHEREAS, 43 Texas Administrative Code, § 22.12, establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 Texas Administrative Code, § 22.12;

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

2. EVENT DESCRIPTION

The description of the Event, including the proposed schedule of start and stop times; approximate number of people attending the Event; and equipment involved, shall be attached hereto and identified as "Exhibit C".

3. OPERATIONS OF THE EVENT

A. The City shall assume all costs for the operations associated with the Event, to include but not limited to plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

B. The City shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required; the traffic control and signing plans; traffic enforcement plans; and all other plans deemed necessary by the State.

C. The City will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

D. The City will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The City will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the City shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

E. The City hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the City's traffic control plan.

F. The City will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including roadway and drainage structures, signs, and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practical, restore the natural environment, including landscape features.

4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the City will remain the property of the City. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use.

5. TERMINATION

A. This agreement may be terminated by any of the following condition:

(1) By mutual written agreement and consent of both parties.

(2) By the State upon determination that uses of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.

(3) By either party, upon the failure of the other party to fulfill the obligation as set forth herein.

(4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligation and liabilities of the State and City under this agreement. If the potential termination of this agreement is due to the failure of the City to fulfill its contractual obligations as set forth herein; the State will notify the City that possible breach of contract has occurred. The City must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the City does not remedy the breach to the satisfaction of the State, the City shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

6. DISPUTES

Should disputes arise as to the party's responsibilities or additional work under this agreement, the State's decision shall be final and binding.

7. INDEMNIFICATION

To the extent permitted by law, the City shall indemnify and save harmless the State, its officers, employees, agents and contractors from all claims and liabilities due to the activities of the City, its officers, employees, agents and contractors performed under this agreement and which result from an error, omission or negligent ace of the City, its officers, employees, agents or contractors. Additionally, to the extent permitted by law, the City shall save harmless the State, its officers, employees, agents and contractors from any and all expenses, including attorneys fees and court costs which may be incurred by the State in litigation or otherwise resisting said claim or liabilities which might be imposed on the State as the result of such activities by the City, their officers, employees, agents or contractors.

8. INSURANCE

A. Prior to beginning any work upon the State's right of way, the City and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the City and/or its contractors are encroaching upon the State right of way.

B. In the event the City is a self-insured entity, the City shall provide the State proof of its self-insurance. Additionally, the City shall include the State as an additional insured under its self-insurance policy.

9. AMENDMENTS

Any changes in the time frame, character, and agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the City and the State.

10. COMPLIANCE WITH LAWS

The City shall comply with all applicable federal, state and local environmental laws, regulations, ordinances, and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

11. LEGAL CONSTRUCTION

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

12. NOTICES

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. main, postage prepaid, addressed to such party at the following respective addresses:

State: Texas Department of Transportation

209 Layl Drive
Liberty, TX. 77575
ATTN: Cory Taylor P.E., Area Engineer

City:

City of Liberty - Larry Shaw, Interim City Manager
1829 Sam Houston
Liberty, TX 77575

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

13. SOLE AGREEMENT

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY HEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF Liberty , TEXAS

September 14, 2010
Date

Gary Broz
Name of Requestor

City Manager
Title

Signature

(936) 336 - 3684
Area Code Telephone Number

1829 Sam Houston
Address

Liberty TX 77575
City, State Zip

ATTEST:

BY: ______________________________
City Secretary

THE STATE OF TEXAS

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

Randall C. Redmond, P.E.
Typed, Printed or Stamped Name of District Engineer

Beaumont
District

Signature of District Engineer

By TxDOT Representative

Cory Taylor P.E., Area Engineer
Name and Title of TxDOT Representative

Date

209 Layl Drive
Address

Liberty TX 77575
City, State Zip

(936) 336 - 2244
Area Code Telephone Number

Texas Department of Transportation
Form 2045 (8/2001)
(GSD-EPC)
Page 1 of 6

THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

Agreement for the Temporary Closure of State Right of Way

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation hereinafter called the "State", and the City of **Liberty** , a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "City".

WITNESSETH

WHEREAS, the State owns and operates a system of highways for public use and benefit, including **Loop 227** , in **Liberty** County; and

WHEREAS, the City has requested the temporary closure of **Loop 227 between Jefferson Drive and Sam Houston Street** ,
For the purposes of **TVE Opening Day Parade**
,
as described in the attached "Exhibit A", hereinafter identified as the "Event"; and

WHEREAS, the Event will be located within the City's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the **14th** day of **September** **2010** the **Liberty** City Council passed Resolution/Ordinance No. ______________ , attached hereto and identified as "Exhibit B", establishing that the Event serves a public purpose and authorizing the City to enter into this agreement with the State; and

WHEREAS, 43 Texas Administrative Code, § 22.12, establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 Texas Administrative Code, § 22.12;

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

2. EVENT DESCRIPTION

The description of the Event, including the proposed schedule of start and stop times; approximate number of people attending the Event; and equipment involved, shall be attached hereto and identified as "Exhibit C".

3. OPERATIONS OF THE EVENT

A. The City shall assume all costs for the operations associated with the Event, to include but not limited to plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

B. The City shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required; the traffic control and signing plans; traffic enforcement plans; and all other plans deemed necessary by the State.

C. The City will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

D. The City will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The City will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the City shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

E. The City hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the City's traffic control plan.

F. The City will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including roadway and drainage structures, signs, and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practical, restore the natural environment, including landscape features.

4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the City will remain the property of the City. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use.

5. TERMINATION

A. This agreement may be terminated by any of the following condition:

(1) By mutual written agreement and consent of both parties.

(2) By the State upon determination that uses of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.

(3) By either party, upon the failure of the other party to fulfill the obligation as set forth herein.

(4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligation and liabilities of the State and City under this agreement. If the potential termination of this agreement is due to the failure of the City to fulfill its contractual obligations as set forth herein; the State will notify the City that possible breach of contract has occurred. The City must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the City does not remedy the breach to the satisfaction of the State, the City shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

6. DISPUTES

Should disputes arise as to the party's responsibilities or additional work under this agreement, the State's decision shall be final and binding.

7. INDEMNIFICATION

To the extent permitted by law, the City shall indemnify and save harmless the State, its officers, employees, agents and contractors from all claims and liabilities due to the activities of the City, its officers, employees, agents and contractors performed under this agreement and which result from an error, omission or negligent ace of the City, its officers, employees, agents or contractors. Additionally, to the extent permitted by law, the City shall save harmless the State, its officers, employees, agents and contractors from any and all expenses, including attorneys fees and court costs which may be incurred by the State in litigation or otherwise resisting said claim or liabilities which might be imposed on the State as the result of such activities by the City, their officers, employees, agents or contractors.

8. INSURANCE

A. Prior to beginning any work upon the State's right of way, the City and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the City and/or its contractors are encroaching upon the State right of way.

B. In the event the City is a self-insured entity, the City shall provide the State proof of its self-insurance. Additionally, the City shall include the State as an additional insured under its self-insurance policy.

9. AMENDMENTS

Any changes in the time frame, character, and agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the City and the State.

10. COMPLIANCE WITH LAWS

The City shall comply with all applicable federal, state and local environmental laws, regulations, ordinances, and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

11. LEGAL CONSTRUCTION

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

12. NOTICES

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. main, postage prepaid, addressed to such party at the following respective addresses:

State: Texas Department of Transportation

209 Layl Drive
Liberty, TX. 77575
ATTN: Cory Taylor P.E., Area Engineer

City:

City of Liberty, Gary Broz City Manager
1829 Sam Houston
Liberty, TX 77575

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

13. SOLE AGREEMENT

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY HEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF **Liberty** , TEXAS

September 14, 2010
Date

Gary Broz
Name of Requestor

City Manager
Title

Signature

(936) 336 - 3684
Area Code Telephone Number

1829 Sam Houston
Address

Liberty TX 77575
City, State Zip

ATTEST:

BY: ______________________
City Secretary

THE STATE OF TEXAS

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

Randall C. Redmond, P.E.
Typed, Printed or Stamped Name of District Engineer

Beaumont
District

Signature of District Engineer

By TxDOT Representative

Cory Taylor P.E., AreaEngineer
Name and Title of TxDOT Representative

Date

209 Layl Drive
Address

Liberty TX 77575
City, State Zip

(936) 336 - 2244
Area Code Telephone Number

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Library
Category: Board Appointments

COUNCIL ACTION (ID # 1805)

DOC ID: 1805

EXPLANATION:
The Liberty Municipal Library Board is a nine member advisory board whose appointments are proposed by the Library Director and approved by the City Council. Board members must be citizens of the City of Liberty and may serve three consecutive two-year terms.

The Board members whose terms expire on September 30, 2010 are: Valerie Braxton, Charlotte Goudeau, Mark Herndon, Amy Milentz, and Paul Schmidt. Charlotte Goudeau and Mark Herndon have reached their term limits and may not be reappointed. Amy Milentz and Paul Schmidt are eligible to serve another term and have agreed to do so. Valerie Braxton has declined reappointment.

The Library Director recommends the re-appointment of Amy Milentz and Paul Schmidt and the following new appointments: Mychal English, Abby Cumbie and Helen Lamberth.

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The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: SRMPA Appointments

RESOLUTION (ID # 1809) DOC ID: 1809 A

EXPLANATION:
Appointments for two-year staggered terms are made to the SRMPA Board of Directors in September of each year. Each member city is allowed two representatives. Our current representatives to this Board are Carl Pickett and Bruce Halstead.

Mayor Pickett's term expires this month.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, APPOINTING A REPRESENTATIVE TO THE SAM RAYBURN MUNICIPAL POWER AGENCY BOARD OF DIRECTORS

WHEREAS, on October 31, 1979, the City of Liberty, Texas, enacted the concurrent ordinance, establishing Sam Rayburn Municipal Power Agency with the City of Jasper, Texas and the City of Livingston, Texas; and,

WHEREAS, said concurrent ordinance provides that each of the three (3) cities involved in the Sam Rayburn Municipal Power Agency, each appoint Directors to serve with the Agency for a period of two (2) years.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

That ____________ be appointed to serve as Director for the Agency for the City of Liberty, Texas, for a period of two (2) years, said term ending September, 2012.

PASSED AND APPROVED THIS 14TH DAY OF SEPTEMBER, 2010.

____
Carl Pickett
Mayor

ATTEST:

____

Dianne Tidwell
City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 1810)

DOC ID: 1810

EXPLANATION:
The Corporation is managed by a board of seven members, each of whom is appointed by the City Council. Each of the directors shall be a resident of the City and serve for two-year terms. Three directors shall be persons who are not employees, officers of the City, or members of the City Council. At the Council Meeting of May 11th, Dennis Beasley, Louie Potetz, and Billy Page were re-appointed to this Board. Board Member Mike Van Etta resigned in May, being at the end of his term. A new appointment will fill the seventh position on the Board.

Current Members are:
- Dennis Beasley, President
- Mike McCarty, Vice-President
- Louie Potetz
- Billy Page
- Robert Ward
- Juan Venegas

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The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Board Appointments

COUNCIL ACTION (ID # 1811)

DOC ID: 1811

EXPLANATION:
Each HGAC member city, under 25,000, is allowed one delegate and one alternate to the General Assembly. The designees must be elected officials of the governing body.

Councilperson McCarty and Mayor Pickett were the representative and alternate to the 2010 General Assembly.

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Houston-Galveston Area Council

Office of the Executive Director

August 25, 2010

The Honorable Carl Pickett
Mayor, City of Liberty
1829 Sam Houston
Liberty, TX 77575

Dear Mayor Pickett:

I am writing regarding the appointment of your city's representative to H-GAC's 2011 General Assembly.

H-GAC's Bylaws provide that each member home rule city under 25,000 population as of the last (2000) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2011.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body.

A dinner meeting of home rule city representatives will be scheduled for November. At that meeting, your 2010 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2011.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 1. If you have any questions or problems in this designation process, please call Mary Spain, 713-993-4598.

Sincerely,

Jack Steele

JS/kay

Enclosure

cc: City Secretary

Mailing Address
PO Box 22777
Houston, Texas 77227-2777
Phone 713-627-3200

Recycled

Physical Address
3555 Timmons Lane, Suite 120
Houston, Texas 77027-6466

DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2011 GENERAL ASSEMBLY

****

BE IT RESOLVED, by the Mayor and City Council of ________________________, Texas, that ______________________________ be, and is hereby designated as its Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2011.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is __________________________________.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this _________ day of ___________________________, 2010.

APPROVED:

____
Mayor

ATTEST:

By: ______________________________

DesForm GL and HR

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1813)

DOC ID: 1813

.

BID TABULATION
CITY OF LIBERTY
LIBERTY COUNTY, TEXAS
WASHINGTON LIFT STATION

BID OPENING DATE: TUESDAY, AUGUST 31, 2010

Item	Qty	Unit	Description	Allco, Inc. Post Office Box 3684 (77704) 6720 College Street Beaumont, Texas 77707 409.860.4459 p 409.860.3857 f		Texas J&D Construction Route 2 Box 338 Bronson, Texas 75930 936.275.2464 p 936.275.3943 f		Precision 2000, Inc. 5100 Westheimer Road, Suite 200 Houston, Texas 77056 404.455.1739 p 770.455.6120		SUMA Construction, LLP 205 East Univeristy, Suite 101 Georgetown, Texas 512.591.7871 p	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1.	1	LS	Mobilization cost, includes payment bonds, performance bond, insurance, and moving equipment to project; all in strict accordance with plans and specifications for; NOT TO EXCEED 3% of TOTAL PROJECT BID for.	$6,500.00	$6,500.00	$8,507.00	$8,507.00	$11,400.00	$11,400.00		
2.	1,773	LF	Furnish and Install 16" SDR-11 IPS HDPE force main, by Directional Drill, including all labor and materials, testing, detection tape, bore pits, backfill and compaction all in strict accordance with plans and specifications for,	$134.30	$238,113.90	$119.00	$210,987.00	$149.40	$264,886.20		
3.	1	LS	Site restoration, to existing WWTP and Lift Station sites, complete in place, including all labor and materials, all in strict accordance with plans and specifications for,	$2,500.00	$2,500.00	$5,000.00	$5,000.00	$7,870.00	$7,870.00		
4.	1	LS	Trench safety/Speed shoring for all pull and exit pits as per Item 2010.	$1.00	$1.00	$3,000.00	$3,000.00	$6,000.00	$6,000.00		
TOTAL					$247,114.90		$227,494.00		$290,156.20		$0.00
			Bonding Company Information	YES		YES		YES			
			Bid Bond	YES		YES		YES			
			Qualification Statement/Financial Statement	YES		YES		YES		NO **	
			Vendor Compliance	YES		YES		YES			
			Non-Collusion Affidavit	YES		YES		YES			
			Acknowledge Addendum No. 1-2	YES		YES		YES			

The Bid Proposals submitted have been reviewed, and to the best of my knowledge this is an accurate tabulation of the Bids received.

** Bid not read and considered non-responsive due to missing financial statement from bid documents.

Signature

STATE OF TEXAS
STEPHEN J. JORDAN
87766
LICENSED
PROFESSIONAL ENGINEER

9-2-2010
Date

df:Bid Tabulation.xlsBid Tabulation
9/1/2010 9:31 AM

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Bids

COUNCIL ACTION (ID # 1812)

DOC ID: 1812

.

BID NO. 2010--10--VEHICLES
BID TABULATION

SPECIFICATION	Philpott Ford 1400 US Highway 69 Nederland, TX 77627	BJ FORD 3560 Highway 90 Liberty, TX 77575	Liberty Dayton Chrysler 320 Hwy 146 Bypass Liberty, TX 77575
New Current Year Model or Later, 1/2-Ton Extended Cab Truck with Short Bed. Quote with Standard Equipment PLUS the following required features:	Year: 2011 Model: Ford F150 SC XLC	Year: 2011 Model: Ford F150 XL XC	Year: 2011 Model: Ram 1500 Quad Cab
3.7 L V-6, Equivalent or Greater	YES	YES	YES
Automatic Transmission	YES	YES	YES
Air Conditioner & Heater	YES	YES	YES
Radio Suppression Package (metal bonding straps for grounding)	YES	YES	YES
Whelen LED Light Bar	YES	YES	YES
Siren/Switch	YES	YES	YES
Whelen 100-Watt Speaker Mouted in Grill	YES	YES	YES
Equipment Console	YES	YES	YES
Power Locks & Windows	YES	YES	YES
Remote Keyless Entry (Keyfob)	YES	YES	YES
Whelen Vertex LEDs in Parking Lamps and Tail Lights	YES	YES	YES
Wigwags	YES	YES	YES
Full Size Spare and Wheel	YES	YES	YES
Floor Mats, Front	YES	YES	YES
Red Exterior, Dark Interior	YES	YES	YES
Estimated Delivery	60 DAYS ARO	MARCH 2011	10/26/2010
Bid Price	$21,386.00	$25,793.65	$22,241.00

BID NO. 2010--10--VEHICLES
BID TABULATION

SPECIFICATION	Philpott Ford 1400 US Highway 69 Nederland, TX 77627	BJ FORD 3560 Highway 90 Liberty, TX 77575	Liberty Dayton Chrysler 320 Hwy 146 Bypass Liberty, TX 77575
New Current-Year Model or Later, 3/4-Ton	Year: 2011	Year: 2011	Year: 2011
Regular Cab Pick Up Truck with Regular Bed	Model: Ford F250 F2A	Model: F250	Model: Ram 2500 Single Cab
4.6 or greater V-8 – **Gasoline Engine**	YES	YES	YES
5-Speed Automatic Transmission	YES	YES	YES
3.31 Reg Axle	YES	YES	YES
Air Conditioner & Heater	YES	YES	YES
Trailer Tow Package	YES	YES	YES
Full-Size Spare Tire and Wheel	YES	YES	YES
Power Windows & Door Locks	YES	YES	YES
Floor Mats, Front	YES	YES	YES
White Exterior, Dark Interior	YES	YES	YES
Estimated Delivery	60 DAYS ARO	JANUARY 2011	10/26/2010
Bid Price	$18,584.00	$22,238.61	$21,315.00
New Current-Year Model or Later, 3/4-Ton	Year: 2011	Year: 2011	Year: 2011
Regular Cab Pick Up Truck with Regular Bed	Model: Ford F250 F2A	Model: F250	Model: Ram 2500 Single Cab
4.6 or greater V-8 – **Diesel Engine**	YES	YES	YES
5-Speed Automatic Transmission	YES	YES	YES
3.31 Reg Axle	YES	YES	YES
Air Conditioner & Heater	YES	YES	YES
Trailer Tow Package	YES	YES	YES
Full-Size Spare Tire and Wheel	YES	YES	YES
Power Windows & Door Locks	YES	YES	YES
Floor Mats, Front	YES	YES	YES
White Exterior, Dark Interior	YES	YES	YES
Estimated Delivery	60 DAYS ARO	JANUARY 2011	10/26/2010
Bid Price	$25,087.00	$28,756.91	$27,811.00

BID NO. 2010--10--VEHICLES
BID TABULATION

SPECIFICATION	Philpott Ford 1400 US Highway 69 Nederland, TX 77627	BJ FORD 3560 Highway 90 Liberty, TX 77575	Liberty Dayton Chrysler 320 Hwy 146 Bypass Liberty, TX 77575
New Current-Year Model or Later, 3/4-Ton	Year: 2011	Year: 2011	Year: 2011
4x2 Regular Cab Pick Up Truck with Service Bed	Model: FORD F250 F2A	Model: F250	Model: Ram 2500 Single Cab
Headache rack	YES	YES	YES
4.6 or greater V-8 **Gasoline Engine**	YES	YES	YES
5-Speed Automatic Transmission	YES	YES	YES
Air Conditioner & Heater	YES	YES	YES
Trailer Tow Package	YES	YES	YES
Full-Size Spare Tire and Wheel	YES	YES	YES
Power Door Locks & Windows	YES	YES	YES
Full Cover Vinyl Flooring w/Floor Mats Front	YES	YES	YES
White Exterior, Dark Interior	YES	YES	YES
Estimated Delivery	60 DAYS ARO	JANUARY 2011	10/26/2010
Bid Price	$23,809.00	$26,573.59	$25,170.00
New Current-Year Model or Later, 3/4-Ton	Year: 2011	Year: 2011	Year: 2011
4x2 Regular Cab Pick Up Truck with Service Bed	Model: FORD F250 F2A	Model: F250	Model: Ram 2500 Single Cab
Headache rack	YES	YES	YES
4.6 or greater V-8 **Diesel Engine**	YES	YES	YES
5-Speed Automatic Transmission	YES	YES	YES
Air Conditioner & Heater	YES	YES	YES
Trailer Tow Package	YES	YES	YES
Full-Size Spare Tire and Wheel	YES	YES	YES
Power Door Locks & Windows	YES	YES	YES
Full Cover Vinyl Flooring w/Floor Mats Front	YES	YES	YES
White Exterior, Dark Interior	YES	YES	YES
Estimated Delivery	60 DAYS ARO	JANUARY 2011	10/26/2010
Bid Price	$30,312.00	$33,091.88	$31,667.00

BID NO. 2010--10--VEHICLES
BID TABULATION

SPECIFICATION	Philpott Ford 1400 US Highway 69 Nederland, TX 77627	BJ FORD 3560 Highway 90 Liberty, TX 77575	Liberty Dayton Chrysler 320 Hwy 146 Bypass Liberty, TX 77575
New Current-Year Model or Later, 4x2 Extended Cab Pick Up	Year: 2011	Year: 2011	Year: 2011
	Model: FORD RANGER RIE	Model: Ranger XL SC	Model: Dodge Dakota
2.3L I-4 Engine	YES	YES	YES
5-Speed Automatic Transmission	YES	YES	4 speed
Air Conditioner & Heater	YES	YES	YES
Full-Size Spare Tire and Wheel	YES	YES	YES
Power Door Locks & Windows	YES	NOT AVAILABLE	YES
Vinyl Floor Mats Front and Rear	YES	YES	YES
White Exterior, Dark Interior	YES	YES	YES
Estimated Delivery	60 DAYS ARO	JANUARY 2011	10/26/2010
Bid Price	$14,150.00	$17,169.73	$16,402.00
New Current Year Model or Later, 4-Door Compact Sedan	Year: 2011 Model: FORD FUSION POG	Year: 2011 Model: FORD FOCUS SE	Year: 2011 Model: Caliber
2.0 L, I-4 Engine	YES	YES	YES
Automatic Transmission	YES	YES	YES
Air Conditioner & Heater	YES	YES	YES
Full-Size Spare Tire and Wheel	YES	Compact Spare Tire	Compact Spare Tire
Power Door Locks & Windows	YES	YES	YES
Floor Mats Front and Rear	YES	YES	YES
White Exterior, Dark Interior	YES	YES	YES
Estimated Delivery	60 DAYS ARO	OCTOBER 2010	10/26/2010
Bid Price, each	$14,983.00	$15,244.31	$16,554.00

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Annexation Issues

RESOLUTION (ID # 1822) DOC ID: 1822

A RESOLUTION OF THE CITY OF LIBERTY, TEXAS ADOPTING AN ANNEXATION PLAN FOR THE CITY OF LIBERTY

WHEREAS, Section 43.052 of the Texas Local Government Code required that each city adopt an annexation plan to include territory the city plans to annex three years from the date the territory is placed in the plan; and,

WHEREAS, Section 43.052(h) of the Texas Local Government Code provides several exceptions that authorize cities to annex territory without placing the territory in an annexation plan; and,

WHEREAS, annexations contemplated by the City of Liberty may come within one or more of these exceptions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

That the City Council has reviewed the future expansion needs of the City and has determined that, at this time, the City does not intend to annex any territory that is required to be in an annexation plan in order to be annexed. The City Council reserves the right to amend the annexation plan in the future to add territory for annexation. This annexation plan shall become effective upon adoption of this resolution.

PASSED AND APPROVED this 14th day of September, 2010, by a ____________ to __________ vote of the City Council of the City of Liberty, Texas.

APPROVED:

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Garbage Issues

ORDINANCE (ID # 1814)

DOC ID: 1814 A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ESTABLISHING RATES OR FEES CHARGED BY THE CITY OF LIBERTY FOR THE COLLECTION AND DISPOSAL OF GARBAGE AND RUBBISH; THAT ALL PRIOR ORDINANCES ESTABLISHING SUCH RATES OR FEES ARE HEREBY REPEALED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

SECTION 1.

That the rates charged by the City of Liberty for garbage and rubbish collection as established by this Ordinance of the City of Liberty, Texas, shall read as follows, to wit:

CHARGES FOR COLLECTION

(1) **RESIDENTIAL.** The fee for collection from each residential shall be Fifteen Dollars and Twenty Eight Cents ($15.28) and each dwelling unit shall be considered a residential establishment even though such dwelling unit may be a part of an apartment or duplex.

(2) **COMMERCIAL.** The fee for collection from each commercial establishment shall be Twenty Three Dollars and Fifty Cents ($23.50) for once-a-week pick-up of three (3) Thirty-Two (32) Gallon Containers or Twenty Seven Dollars and Fifty Cents ($27.50) for once-a-week pick-up of one (1) Ninety (96) Gallon Container unless that commercial establishment shall have container(s) collection which fees are established as follows:

Pick-Ups Weekly	2 Yard Containers	3 Yard Containers	4 Yard Containers	6 Yard Containers	8 Yard Containers
1	45.00	67.50	87.00	100.96	113.42
2	89.00	126.00	155.00	176.00	222.09
3	131.00	157.00	179.00	206.00	275.25
4	145.00	175.00	198.52	250.00	380.00
5	172.90	217.74	244.64	325.00	450.00
6	217.01	275.56	300.39	375.00	525.00
Extra P/U	45.00	50.00	55.00	60.00	65.00

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHEMENT REQUESTING DUMPSTER SWAP:

Swap Out Fee.. $25.00

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHMENT USING A ROLL-OFF CONTAINER:

Delivery Charge.. $130.00
Rental Fee for Permanent Use (Per Day).......................... $ 4.50

20 Cubic Yard Roll-Off Container per pick-up............................ $324.72
30 Cubic Yard Roll-Off Container per pick-up............................ $410.94
40 Cubic Yard Roll-Off Container per pick-up............................ $493.80

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHMENT USING A COMPACTOR:

Compactor per pick-up... $35.00

FEE FOR A COMMERCIAL OR BUSINESS ESTABLISHMENT WITH LOCKS:

Lock - Per Month.. $10.00

SECTION 2.

That all rates, fees, or schedules of such for the City of Liberty garbage and rubbish collection are hereby established with this Ordinance. Any prior stated rates, fees or schedules of such established by any prior Ordinances adopted by the City of Liberty are hereby repealed.

SECTION 3.

That this ordinance shall be in full force and effect upon the 1st day of October, 2010.

SECTION 4.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty that all ordinances be read on two separate days is hereby dispensed with.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, THIS THE 14th DAY OF SEPTEMBER, 2010.

Carl Pickett
Mayor

ATTEST:

Dianne Tidwell
City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Budget Adoption

ORDINANCE (ID # 1815)

DOC ID: 1815 A

SETTING AND ESTABLISHING THE 2011 FISCAL YEAR OPERATING BUDGET

WHEREAS, The City of Liberty, in accordance with the City Charter and the laws of the State of Texas, and acting by and through its City Council has received the proposed budget and financial plan for the fiscal year beginning October 1, 2010, and ending September 30, 2011; and

WHEREAS, The City Council of the City of Liberty, Texas, finds that the proposed budget and financial plan for Fiscal Year 2011 is a balanced budget in keeping with the City Charter; and

WHEREAS, The total expenditures for all funds for Fiscal Year 2011 are $33,722,267.00.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

That the budget and plan for Fiscal Year 2011 be established at $33,722,267.00 as a combined total budget for the City of Liberty's operations for said fiscal year.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two (2) separate days is hereby dispensed with and all Council Members present vote affirmatively for the adoption of this Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, Texas on the 14th day of September, 2010.

____
Carl Pickett
Mayor

ATTEST:

____
Dianne Tidwell

City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Tax Issues

COUNCIL ACTION (ID # 1816)

DOC ID: 1816

EXPLANATION:
"Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate." LGC §102.007

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The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Tax Rates

ORDINANCE (ID # 1817)

DOC ID: 1817 A

TAX RATE ADOPTION

WHEREAS, A tax rate of $0.3226 for maintenance and operations and a tax rate of $0.2674 for the debt service fund for a total tax rate of $0.5900 is necessary and appropriate for the funding of the FY 2010 City of Liberty budget; and

WHEREAS, Said budget has been heretofore regularly adopted by the City Council of the City of Liberty; and

WHEREAS, All other things required by law to be done have been done properly by the appropriate officials.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

That the 2010 maintenance and operations tax rate in the amount of $0.3226 per $100.00 and the debt service tax rate of $0.2674 per $100.00 for a total tax rate of $0.5900 per $100.00 is set and adopted.

“THE CITY OF LIBERTY TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE.”

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two (2) separate days is hereby dispensed with and all Council Members present vote affirmatively for the adoption of this Ordinance.

PASSED AND ADOPTED at a regular called meeting of the City Council of the City of Liberty, Texas on the 14th day of September, 2010.

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Tax Rates

ORDINANCE (ID # 1818)

DOC ID: 1818 A

TAX ROLL APPROVAL AND TAX LEVY

WHEREAS, A tax rate of $0.3226 for maintenance and operations and a tax rate of $0.2674 for the debt service fund for a total tax rate of $0.5900 were adopted for the tax year 2010 by the City Council of the City of Liberty, Texas; and

WHEREAS, All other things required by law to be done have been done properly by the appropriate officials.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

That the 2010 appraisal roll with tax amounts entered is hereby approved as the tax roll for 2010 and the taxes for said year are hereby levied in the amounts shown on said tax roll.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two (2) separate days is hereby dispensed with and all Council Members present vote affirmatively for the adoption of this Ordinance.

PASSED AND ADOPTED at a regular called meeting of the City Council of the City of Liberty, Texas on the 14th day of September, 2010.

____
Carl Pickett, Mayor

ATTEST:

____

Dianne Tidwell, City Secretary

6.A.13

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 09/14/10 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 1821)

DOC ID: 1821

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